

Message Text

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10

ACTION ACDA-10

INFO OCT-01 ARA-06 EUR-12 EA-06 IO-10 ISO-00 CIAE-00

DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00 ERDA-05

AF-06 PM-03 H-02 INR-07 L-03 NASA-01 NEA-10 NSC-05

OIC-02 SP-02 PA-01 PRS-01 OES-03 SS-15 SAJ-01 NRC-05

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FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 3268

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY MEXICO

AMEMBASSY MOSCOW

AMEMBASSY OTTAWA

AMEMBASSY ROME

AMEMBASSY TOKYO

USMISSION USUN

USMISSION IAEA VIENNA

USMISSION NATO

ERDA/GERMANTOWN

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EO: 11652: N/A

TAGS: PARM

SUBJ: NPT REVCON: ARTICLE V FORMULATION

CURRENT DRAFT OF ARTICLE V FORMULATION IN WORKING GROUP OF DRAFT-
ING COMMITTEE READS AS FOLLOWS. EXPLANATION FOLLOWS SEPTEL.

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1. THE CONFERENCE REAFFIRMS THE OBLIGATION OF PARTIES TO THE

TREATY TO TAKE APPROPRIATE MEASURES TO ENSURE THAT POTENTIAL BENEFITS FROM ANY PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS ARE MADE AVAILABLE TO NON-NUCLEAR-WEAPON STATES PARTY TO THE TREATY IN FULL ACCORDANCE WITH THE PROVISIONS OF ARTICLE V AND OTHER APPLICABLE INTERNATIONAL OBLIGATIONS. IN THIS CONNEXION, THE CONFERENCE ALSO REAFFIRMS THAT SUCH SERVICES SHOULD BE PROVIDED TO NON-NUCLEAR-WEAPON STATES PARTY TO THE TREATY ON A NON-DISCRIMINATORY BASIS AND THAT THE CHARGE TO SUCH PARTIES FOR THE EXPLOSIVE DEVICES USED SHOULD BE AS LOW AS POSSIBLE AND EXCLUDE ANY CHARGE FOR RESEARCH AND DEVELOPMENT.

2. THE CONFERENCE NOTES THAT ANY POTENTIAL BENEFITS COULD BE MADE AVAILABLE TO NON-NUCLEAR-WEAPON STATES NOT PARTY TO THE TREATY BY WAY OF NUCLEAR EXPLOSION SERVICES PROVIDED BY NUCLEAR-WEAPON STATES, AS DEFINED BY THE TREATY, AND CONDUCTED UNDER THE APPROPRIATE INTERNATIONAL OBSERVATION AND INTERNATIONAL PROCEDURES CALLED FOR IN ARTICLE V AND IN ACCORDANCE WITH OTHER APPLICABLE INTERNATIONAL OBLIGATIONS. THE CONFERENCE CONSIDERS IT IMPERATIVE THAT ACCESS TO POTENTIAL BENEFITS OF NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES SHOULD NOT LEAD TO ANY PROLIFERATION OF NUCLEAR EXPLOSIVE CAPABILITY.

3. THE CONFERENCE CONSIDERS THE IAEA TO BE THE APPROPRIATE INTERNATIONAL BODY, REFERRED TO IN ARTICLE V OF THE TREATY, THROUGH WHICH POTENTIAL BENEFITS FROM PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS COULD BE MADE AVAILABLE TO ANY NON-NUCLEAR-WEAPON STATE. ACCORDINGLY, THE CONFERENCE URGES THE IAEA TO EXPEDITE WORK ON IDENTIFYING AND EXAMINING THE IMPORTANT LEGAL ISSUES INVOLVED IN, AND TO COMMENCE CONSIDERATION OF THE STRUCTURE AND CONTENT OF THE SPECIAL INTERNATIONAL AGREEMENT OR AGREEMENTS CONTEMPLATED IN ARTICLE V OF THE TREATY, TAKING INTO ACCOUNT THE VIEWS OF THE CONFERENCE OF THE COMMITTEE ON DISARMAMENT AND THE UNITED NATIONS GENERAL ASSEMBLY AND AFFORDING AN OPPORTUNITY TO STATES PARTY TO THE TREATY BUT NOT MEMBERS OF THE AGENCY TO PARTICIPATE IN SUCH WORK.

4. THE CONFERENCE NOTES THAT THE TECHNOLOGY OF NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES IS STILL AT THE STAGE OF DEVELOPMENT AND STUDY, AND THAT THERE ARE A NUMBER OF INTERRELATED INTERNATIONAL LEGAL AND OTHER ASPECTS OF SUCH EXPLOSIONS WHICH STILL NEED TO BE LIMITED OFFICIAL USE

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INVESTIGATED.

5. THE CONFERENCE COMMENDS THE WORK IN THIS FIELD THAT HAS BEEN CARRIED OUT WITHIN THE IAEA AND LOOKS FORWARD TO THE CONTINUANCE OF SUCH WORK PURSUANT TO UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 3261 D (XXIX). IT EMPHASIZES THAT THE IAEA SHOULD PLAY THE CENTRAL ROLE IN MATTERS RELATING TO THE PROVISION OF SERVICES FOR THE APPLICATION OF NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES. IT

BELIEVES THAT THE IAEA WHOULD BROADEN ITS CONSIDERATION OF THIS SUBJECT TO ENCOMPASS, WITHIN ITS AREA OF COMPETENCE, ALL ASPECTS AND IMPLICATIONS OF THE PRACTICAL APPLICATIONS OF NUCLEAR EXPLOSIONS FOR PRECEFUL PURPOSES. TO THIS END IT URGES THE IAEA TO SET UP APPROPRIATE MACHINERY WITHIN WHICH INTERGOVERNMENTAL DISCUSSION CAN TAKE PLACE AND THROUGH WHICH ADVICE CAN BE GIVEN ON THE AGENCY'S WORK IN THIS FIELD.

6. THE CONFERENCE ATTACHES CONSIDERABLE IMPORTANCE TO THE CONSIDERATION BY THE CCD, PURSUANT TO UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 3261 D (XXIX) AND TAKING DUE ACCOUNT OF THE VIEWS OF THE IAEA, OF THE ARMS CONTROL IMPLICATIONS OF NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES.

7. THE CONFERENCE NOTES THAT THE THIRTIETH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY WILL RECEIVE REPORTS PURSUANT TO UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 3261 D (XXIX) AND WILL PROVIDE AN OPPORTUNITY FOR STATES TO DISCUSS QUESTIONS RELATED TO THE APPLICATION OF NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES. THE CONFERENCE FURTHER NOTES THAT THE RESULTS OF DISCUSSION IN THE UNITED NATIONS GENERAL ASSEMBLY AT ITS THIRTIETH SESSION WILL BE AVAILABLE TO BE TAKEN INTO ACCOUNT BY THE IAEA AND THE CCD FOR THEIR FURTHER CONSIDERATION.DALE

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Margaret P. Grafeld
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